

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HARRY ROTH, ET AL.,

Plaintiffs,

-v-

PAYNADA LLC, ET AL.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/28/2025

ORDER

25-CV-2492 (DEH) (HJR)

HENRY J. RICARDO, United States Magistrate Judge.

Plaintiffs Harry Roth, Matthew Roth, and Dena Roth filed their Complaint on March 26, 2025. ECF No. 1. On March 31, 2025, Plaintiffs served the summonses and complaint on Defendants Paynada LLC, Paynada Employee Benefit Plan, TranzVia LLC, and TranzVia Employee Benefit Plan and filed proof of such service on April 1, 2025. ECF Nos. 8–11. Defendants’ answers were due by April 22, 2025.

To date, the docket reflects that no Defendant has appeared in this action nor responded to the Complaint. Given Defendants’ non-appearance since the affidavits of service were filed, if Plaintiffs believe that they have effectuated service, then they should initiate default judgment proceedings in accordance with Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rules 55.2(b) by **May 22, 2025**.

Alternatively, Plaintiffs may submit a status letter by the same date, informing the Court as to Plaintiffs’ litigation plan and whether they are still actively attempting to serve Defendants.

Failure to comply with this Order could result in a recommendation to the Honorable Dale E. Ho that this action be dismissed with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41.

SO ORDERED.

Dated: April 28, 2025
New York, New York



Henry J. Ricardo
United States Magistrate Judge